



WEB COPY

W.P.(MD)No.18543 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.18543 of 2024
and
W.M.P.(MD)No.15755 of 2024**

K.Muthupandi

... Petitioner

-vs-

- 1.The District Collector (Monitoring Committee),
Collectorate Campus,
Tirunelveli, Tirunelveli District.
- 2.The Joint Director,
District Town and Country Planning Office,
Xavier Colony, South Bypass Road,
Tirunelveli District.
- 3.The Assistant Director of Town Panchayat,
Office of the Town Panchayat,
Jawahar Nagar, NGO-B Colony,
Palayamkottai,
Tirunelveli District.
- 4.The Executive Officer,
Sankar Nagar Special Grade Town Panchayat,
Pandarakulam, Sankar Nagar Post,
Tirunelveli District.
- 5.M.Pecthipandian
- 6.Thangaselvi, W/o.Shanmugasundaram

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to take action and remove the unauthorized construction put up by the respondents 5 and 6 in Survey No.431/1A1A situated at Saradhambal Nagar Extension, Narayanammal Puram, Sankar Nagar Post, Tirunelveli District, in terms of Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971 and by considering the petitioner's representations dated 10.06.2024 and 08.07.2024 within the period that may be stipulated by this Court.

For Petitioner	:	Mr.Nawazkhan for M/s.Ajmal Associates
For R1 to R3	:	Mr.P.T.Thiraviyam Government Advocate
For R4	:	Mr.S.R.A.Ramachandran Additional Government Pleader
For R6	:	Mr.R.Anand

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Though this Writ Petition is filed as a Public Interest Litigation, we find that this is only to project the petitioner's private interest. It is only an attempt to project the petitioner's private interest.



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2. From the papers filed along with the Writ Petition, we see that the petitioner has already filed a suit against the fifth respondent and one M.Shanmugavel, for recovery of possession of the very same property, the construction over which, he sought to be made subject matter of the Writ Petition.

3. We do not think we can entertain a Writ Petition to expose private grievance under Article 226 of the Constitution of India. Leaving it open to the petitioner to agitate all his rights before the Civil Court, this Writ Petition is dismissed. The dismissal of this Writ Petition will not affect the rights of the petitioner before the Civil Court where a suit is already pending. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : No
Index : No
Internet : Yes
smn2

[R.S.M., J.] [L.V.G., J.]
05.08.2024

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and
L.VICTORIA GOWRI, J.

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